

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

RAYMOND BENITEZ,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

THE CHARLOTTE-MECKLENBURG
HOSPITAL AUTHORITY, d/b/a
CAROLINAS HEALTHCARE SYSTEM,
ATRIUM HEALTH,

Defendant.

Case No. 3:18-cv-00095-RJC-DCK

**CONSENT MOTION TO EXTEND TIME FOR PLAINTIFF TO FILE AN OPPOSITION
TO DEFENDANT CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY'S
MOTION FOR JUDGMENT ON THE PLEADINGS**

COMES NOW, Plaintiff Raymond Benitez, individually and on behalf of all others similarly situated, and respectfully moves this Court for an order extending the time for Plaintiff to file an opposition to Defendant's Motion for Judgment on the Pleadings (Dkt. 22) by 7 days. In support of this relief, Plaintiff states as follows:

1. On April 30, 2018, Defendant Charlotte-Mecklenburg Hospital Authority filed Defendant's Motion for Judgment on the Pleadings (Dkt. 22) and Defendant's Memorandum in Support of Motion for Judgment on the Pleadings (Dkt. 23).

2. Under this Court's Local Civil Rule 7.1(e), "[r]esponses to motions must be filed within fourteen (14) days of the date on which the motion is served."

3. Plaintiff moves for a 7-day extension of time for Plaintiff to file his opposition. Plaintiff's opposition is currently due by Monday, May 14, 2018. If Plaintiff's extension motion is granted, his opposition will be due on Monday, May 21, 2018. Plaintiff has not previously

sought an extension of time to file his opposition. Counsel for Defendant Charlotte-Mecklenburg Hospital Authority consents to this request.

4. Plaintiff, therefore, respectfully submits this consent request for an extension of time for Plaintiff to file an opposition to Defendant's Motion for Judgment on the Pleadings up to and including May 21, 2018.

Respectfully submitted this seventh day of May, 2018.

J. Gentry Caudill
N.C. Bar No. 758
Adam S. Hocutt
N.C. Bar No. 39760
DOZIER MILLER LAW GROUP
301 S. McDowell Street, # 700
Charlotte, NC 28204
Telephone: (704) 372-6373
Facsimile: (704) 347-0674
gcaudill@doziermillerlaw.com
ahocutt@doziermillerlaw.com

R. Stephen Berry
BERRY LAW PLLC
D.C. Bar No. 234815
Admitted *Pro Hac Vice*
1717 Pennsylvania Avenue, N.W.
Suite 850
Washington, D.C. 20006
Telephone: (202) 296-3020
Facsimile: (202) 296-3038
sberry@berrylawpllc.com

/s/ Steven F. Molo
Steven F. Molo
N.Y. Bar No. 4221743
Admitted *Pro Hac Vice*
Thomas J. Wiegand
N.Y. Bar No. 4934196
Admitted *Pro Hac Vice*
Justin M. Ellis
N.Y. Bar No. 4946265
Admitted *Pro Hac Vice*
Lauren M. Weinstein
N.Y. Bar No. 5121629
Admitted *Pro Hac Vice*
MOLOLAMKEN LLP
430 Park Avenue
New York, NY 10022
Telephone: (212) 607-8160
Facsimile: (212) 607-8161
smolo@mololamken.com
twiegand@mololamken.com
jellis@mololamken.com
lweinstein@mololamken.com

Attorneys for Plaintiff and Proposed Class Co-Counsel

CERTIFICATE OF SERVICE

I hereby certify that on May 7, 2018, I electronically filed the foregoing Consent Motion To Extend Time for Plaintiff To File an Opposition to Defendant Charlotte-Mecklenburg Hospital Authority's Motion for Judgement on the Pleadings using the CM/ECF system, which sent a notice of electronic filing to all ECF registered participants.

/s/ Steven F. Molo
Steven F. Molo
MOLOLAMKEN LLP
430 Park Avenue
New York, New York 10022
Telephone: (212) 607-8160
Facsimile: (212) 607-8161

*Attorney for Plaintiff and Proposed
Class Counsel*